



Guide Concession Program (GCP) Workgroup

February 16 Meeting Notes

February 16, 2023, at 9:00 AM via Zoom

Members: Jason Bunch, Chair of the Big Game Commercial Services Board; Registered Guide; DCCED
Christy Colles, Division Director, Mining, Land, and Water; DNR
Rick Green, Special Assistant; DFG
Ted Spraker, Public Member
Coke Wallace, Master Guide

Facilitator: Sara Chambers, Boards and Regulations Advisor; DCCED

The meeting convened approximately 9:20 a.m. Many members of the public observed via Zoom.

Mr. Bunch requested the group use the first seven pages of the GCP Framework from 2013 as a starting place for discussion.

Purpose & problem

- The Big Game Commercial Services Board has received more guide-guide and resident hunter-guide complaints in last two years than all previous eight combined. Need to determine if it is because of issues that a concession program could resolve or if it is related to other issues.
- For the first time, resident hunters came to a BGCSB meeting and complained about congested grounds near their homes and cabin.
- Losing state ground to federal takeover of state land is potentially dislocating guides.
- Loss of sheep is relocating guides to other areas.
- New businesses in new areas impacting consistent and established businesses.
- Guides are complaining about congestion and an increase in illegal activities. Need to prove where congestion is a problem.
- Client's wilderness experience is being impacted.

In previous efforts to enact a GCP in 2009-2013, DNR heard from a wide variety of stakeholders and attempted to fix the problem, but DNR didn't have the tools. The Owsichek decision further limited their tools. There was a lot of public engagement, and DNR tried to capture what they were hearing. Board of Game discussed support for concessions and offered a lot of comment to DNR.

To define the problem, data needs to be added to the anecdotal feedback. Previously, DNR went through all the hunt records and looked at client numbers to estimate impact. Need more input whether guides want more government management/limitation of their businesses.

Management & Scope

Limited Areas vs. Statewide

Thinking about implementation, the group is concerned about limiting to a few guide use areas vs. doing implementing across all areas at the same time. In the previous proposal, the volume of applications and time for a statewide rollout was not manageable. Staggered expiration was not supported by guides.

There is concern that limiting access in some areas will create congestion in other areas. “If you push the bobber down, it will pop up somewhere else.” Camp locations and proximity to others seem to be the biggest concerns. Need to protect smaller areas that may not currently need limits and could get overrun.

Commercial set nets limit entry in a small number of areas. This idea hasn’t been discussed for GCP. Shorefish program is successful and includes leases—but those are not allowed in land use context.

Piloting the project in a few areas could help with rollout and implementation.

Federal Process

Need to look at the federal concession process; timing is perfect because they just finished. Their prospectus system is not good, too complex; they are struggling, and their prospectus process will create appeals. There will be a high administrative burden to the state to do this. Prospectus should be simple; it takes feds 28 hours per application. Concession permits can clearly limit and state activity; guides who don’t follow the plans they submit will lose their permits.

State Agency Ownership

The group discussed pros and cons of various agencies spearheading this effort. Previously, DNR was appropriated funding for a consultant to help review and build regs packages, as well as four staff nearly full time to work on the proposal. Thinking ahead, possibly 1500 applications could come in, so the process should be simplified. DNR wanted to pay for a wildlife trooper and wildlife specialist if implemented.

Whatever agency implements would need to have expertise and access to data. Concerns about BGCSB reviewing prospectus if they are also competing for concessions. Some discussion about the cost of the program to guides; currently, the legislature has not provided expenditure authority for use of the BGCSB surplus.

Any statutory change must clearly state what is needed to create a limitation on state land. Especially if determining who gets to work over another guide. The previous effort likely would have been appealed and gone to court. Confidentiality, program receipts, and program authority are necessary.

Transferability

Transferability of a concession was a problem in the 2013 proposal; as proposed, it was illegal per Owsichek. Not being able to transfer a business is a loss of investment.

Transporters

How are transporters affected or included?

Tasks for Next Meeting

- Workgroup will review the list on the Framework page 7 and come with ideas on how to narrow/simplify it. For example, prospectus was based on subjective narrative. How can that change to be simpler, more defensible, and require less specialized staff?
- Also review Appendix F which shows DNR’s proposed rollout.
- Summary will be posted on BGCSB meeting web site after workgroup members approve and according to staff availability.

Upcoming meeting dates

Future dates may be flexible due to workgroup member availability. Dates will be posted on the Online Public Notice System and BGCSB web page as soon as confirmed. Currently scheduled:

~~March 2 @ 9am via Zoom~~ *Cancelled*

March 16 @ 9am, via Zoom
Written public comment only.

March 29 @ 6pm
Oral public comment in person at the BGCSB meeting at Pike's Place Lodge in Fairbanks.

April 10 @ 3pm
Oral public comment at the Atwood Conference Center (ACC) in Anchorage on the 1st Floor.

April 13 @ 9am via Zoom
Written public comment only.

~~April 27 @ 9am via Zoom~~ *Cancelled*

The meeting adjourned at 11:00am.

Comments, feedback, and ideas may be submitted to BigGameCommercialServicesBoard@Alaska.Gov. They will be forwarded to workgroup members ahead of the next upcoming meeting.